



## Transportation Synthesis Report

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### State DOTs and Native American Nations

*Prepared for*  
**Bureau of Equity and Environmental Services  
Division of Transportation Infrastructure Development**

*Prepared by*  
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*Transportation Synthesis Reports (TSRs) are brief summaries of currently available information on topics of interest to WisDOT technical staff in highway development, construction and operations. Online and print sources include NCHRP and other TRB programs, AASHTO, the research and practices of other state DOTs, and related academic and industry research. Internet hyperlinks in TSRs are active at the time of publication, but changes on the host server can make them obsolete.*

#### **Request for Report**

State governments have a unique relationship with the Native American nations within their borders. The federal government has recognized Native American tribes as sovereign nations, and as such, intergovernmental relationships with them must be initiated by a federal agency such as FHWA. However, state DOTs have many reasons to work directly with tribal governments. In January 2001, new regulations mandated by Section 106 of the National Historic Preservation Act took effect, requiring consultation with Native American tribes by any agency planning federally funded improvements that could affect properties with cultural or religious significance to those tribes. State DOTs may also work with Native American governments in areas such as public transit, traffic safety, and construction and improvements to reservation roads and bridges. In addition to participating in federal programs such as the Indian Reservation Roads Program, tribal governments are eligible for other state and federal funding programs just as counties and cities are.

We were asked to review state DOT organizational approaches for communicating with Native American nations and provide information on both centralized approaches—for example, coordination of contacts through a single DOT office—as well as decentralized approaches that rely on division-by-division communications.

#### **Summary**

For a state DOT, deciding whether to centralize Native American contact, and especially whether to assign dedicated staff for that purpose, is not simply a matter of best practices—each DOT must establish a system that is appropriate for the size, distribution and needs of its Native American population and tribal lands. Native American presence varies widely from state to state; at the high end, California has 109 federally recognized tribes and a total Native American population of over 300,000, and Alaska's population is 19% Alaska Natives. Indian reservations make up 28% of Arizona's land base; by contrast, 16 states have no Indian reservations within their borders. With 11 tribes and a total population of over 47,000, Wisconsin falls somewhere in the middle. The map on page 7 of this Census report shows the Native American population distribution by county for the nation:

<http://www.census.gov/prod/2002pubs/c2kbr01-15.pdf>. Wisconsin is one of four Midwest states with a county (Menominee) where Native Americans make up the majority of the population; however, Native Americans make up only 0.9% of Wisconsin's total population (see page 5 of the Census report).

We reviewed available online resources, including conference proceedings, case studies and state DOT Web sites, to identify successful organizational structures and coordination strategies used by other state DOTs. Following a brief synopsis of **WisDOT Practices** and a **Summary of State Strategies**, we provide details on states with well-developed tribal liaison programs and other communication strategies (see **State Experiences** of AZ, WA, MN, IA, NM, AK, PA and KS). Finally, we provide Internet links to a number of **Cross-State Initiatives and Publications** and **Federal Resources**.

## **WisDOT Practices**

There are 11 federally recognized tribes in Wisconsin, and four out-of-state tribes have also expressed an interest in Wisconsin transportation projects. FHWA and WisDOT coordinate with the tribes through an informal policy committee and at the project level.

### ***FHWA Environment Section, October 2002***

#### **Outreach to Native Americans: A Comprehensive Look at Wisconsin's Efforts**

[http://www.fhwa.dot.gov/environment/natvamrc/oct31\\_03.htm](http://www.fhwa.dot.gov/environment/natvamrc/oct31_03.htm)

This FHWA case study describes in detail efforts by WisDOT and the Wisconsin Division of FHWA to work with the state's Native Americans. Much of the study focuses on the agencies' partnership with Lac Courte Oreilles Ojibwa Community College and the College of the Menominee Nation, but it also addresses WisDOT's more direct efforts to improve government-to-government relationships with Native American tribes.

- The Midwest Regional University Transportation Center cosponsored Wisconsin's 2002 Tribal Transportation **Planning Summit**, held in Madison. See <http://www.mrutc.org/outreach/LCOOCC/TribalPlanning.htm>. Indications are that a similar meeting will take place in 2004, although details are not clear.
- From the "Historic Preservation and Native American Coordination" section: Tribes are invited to participate in a **policy committee** that reviews and discusses policy issues related to archeological sites of interest to Native Americans. Committee members include representatives from Native American nations, FHWA, the WisDOT Central Office and WisDOT districts, and several archeologists. The committee meets at least once a year.
- From the "Tribal Visits—Government-to-Government Relationships" section: The FHWA Wisconsin Division began visiting Wisconsin's 11 federally recognized tribes in 2001 to initiate **government-to-government relationships**, distributing a resource guide at each visit. WisDOT staff participated in several visits and began an educational process to make sure all staff were aware of the **tribes' eligibility for state funding programs**.

The case study also describes efforts by WisDOT's Bureau of Transportation Safety and Disadvantaged Business Enterprise Program, and includes two "Lessons Learned" sections describing some of the challenges the agencies faced in partnering and working with Native American tribes.

## **Summary of State Strategies**

State DOTs' methods for coordinating their relationships with Native American nations vary depending on their size and budget and on the size and location of each state's Native American population. We identified these four common strategies:

**Tribal Liaison (person or office):** California, Washington, Montana, Minnesota and Arizona are among the states that coordinate contact with Native American nations through one person or office. Generally, this position is located within one branch of the DOT and serves as a first point of contact for tribal issues, referring tribes to other divisions for issues outside the liaison's area of responsibility. Organizationally, DOTs have placed their liaisons in the Transportation Planning Division (California and Arizona), Office of Government Relations (Minnesota), and Environmental Services Bureau (Montana). Washington's tribal liaison office is independent of functional bureaus, reporting to the WSDOT chief of staff. Iowa and Alaska do not have formal liaisons, but coordinate Native American relations through one office—the Office of Location and Environment (Iowa) and the Civil Rights Office (Alaska).

**Tribal Summits:** Several state DOTs have used tribal transportation summits as a strategy for improving communication with Native American nations. Often, these DOTs do not have a full-time tribal liaison who works with Native American issues year-round, so the summits are an opportunity to bring focus to those issues and

identify next steps. States that have held summits include Washington, New Mexico, Iowa, Idaho, Minnesota, Pennsylvania and Wisconsin, as well as regional groups.

**Transportation Resource Guides:** A few states, including California, Washington and Minnesota, have put together printed or online resource guides to help Native Americans and agencies that work with them understand tribes' role in transportation issues.

**Advisory Committee:** In addition to their tribal liaisons, California and Arizona have standing committees that meet regularly to address tribal transportation issues. California's Native American Advisory Committee, which advises the Caltrans director, consists of tribal representatives. Arizona's Tribal Strategic Partnering Team includes representatives from tribes and state and federal agencies.

## **State Experiences**

### **California**

California is home to more federally recognized tribal governments (109) and a larger Native American population (over 300,000) than any other state. Caltrans' Native American Liaison Branch is part of the Office of Regional and Interagency Planning in the Division of Transportation Planning. Each Caltrans district has a Native American cultural coordinator, and many have liaisons as well.

#### ***Native American Liaison Branch, Caltrans***

[http://www.dot.ca.gov/hq/tpp/offices/orip/na/native\\_american.htm](http://www.dot.ca.gov/hq/tpp/offices/orip/na/native_american.htm)

According to its Web site, the Liaison Branch "serves as department **ombudspersons** on Native American issues and **initial contact** for Native American **legal issues**; serves as liaisons between the department, Tribal Governments and other involved third parties to promote government-to-government relationships; and provides information, training and facilitation services related to issues affecting Native American communities."

- The Liaison Branch site includes a Director's Policy, "Working with Native American Communities" (issued August 2001), that outlines **division-by-division responsibilities** for Native American relationships.
- Caltrans has a **Native American Advisory Committee**, established in 1997, made up of representatives from local tribes and Native American organizations. The committee advises the Caltrans director about matters of interest to the tribes and their constituents, and **recommends policies and procedures**. The Liaison Branch serves as staff to this committee. Includes three subcommittees: Environmental, Highway Landscaping and Legislative. Committee meeting minutes are available at <http://www.dot.ca.gov/hq/tpp/offices/orip/na/meetings.htm>.
- Each Caltrans district has one or more **Native American cultural coordinators** from the Environmental Division, and many districts also have Native American Liaisons. The liaisons may have other roles as well, depending on the needs in their areas. For example, District 11 (San Diego and Imperial Counties) includes 20 reservations, and created a **District 11 Liaison Branch** (<http://www.dot.ca.gov/dist11/departments/planning/nal/index.htm>) in 2001, while some districts have no liaison or share one among several districts. Also see pages 12 and 13 of the "Transportation Guide" below.
- In February 2002, Caltrans published the "**Transportation Guide for Native Americans**" (<http://www.dot.ca.gov/hq/tpp/offices/orip/na/Trans-GuideForNativeAmericans.pdf>), a transportation resource guide for Native American officials and their constituents.

**Contacts:** Caltrans Native American Liaison Branch Chief Cynthia Gomez ([cynthia\\_gomez@dot.ca.gov](mailto:cynthia_gomez@dot.ca.gov), 916-654-2389), Native American Liaison Jila Priebe ([jila\\_priebe@dot.ca.gov](mailto:jila_priebe@dot.ca.gov), 916-651-8195).

#### ***Working with Indian Communities, Caltrans Journal, March–April 2002, pages 52–55***

[http://www.dot.ca.gov/dist07/aboutdist7/pubs/journals/Mar\\_Apr\\_2002/Journal\\_Mar\\_Apr\\_2002.pdf](http://www.dot.ca.gov/dist07/aboutdist7/pubs/journals/Mar_Apr_2002/Journal_Mar_Apr_2002.pdf)

This article in *Caltrans Journal* describes the department's relationships with the state's Native American communities.

### **Arizona**

Native American nations are a strong presence in Arizona. The state has 27.7 million acres of Indian reservations, which account for 28% of its land base. About 17%, or 1,200 route miles, of the state highway system traverses

reservation land. There are 21 federally recognized tribes in Arizona, all but one with a reservation in the state. Native Americans make up 10 to 15% of the state population.

Arizona DOT has a tribal coordinator based in its Transportation Planning Division, and a Tribal Strategic Partnering Team that also includes representatives from other ADOT divisions, including the Civil Rights Office and the Partnering Section, as well as federal and tribal representatives.

**Transportation Research E-Circular No. E-C039, TRB: Conference on Transportation Improvements: Experiences Among Tribal, Local, State, and Federal Governments, October 18–21, 2001, Albuquerque, N.M.**  
<http://gulliver.trb.org/publications/circulars/ec039.pdf>

This E-Circular contains seven presentations about Arizona issues. Relevant information from two of them is condensed here; three others are summarized briefly below.

In April 1999, Don Sneed, an ADOT-TPD planner, was designated to work as the TPD's **tribal coordinator**. In this position, he:

- Provides **coordinating assistance** to tribes, tribal-related agencies, and other ADOT divisions, sections and groups.
- Oversees implementation of 10 **strategies** developed by ADOT to improve tribal communication and coordination (see page 38).
- Represents ADOT's director at meetings of the **Arizona Commission of Indian Affairs**.
- Represents ADOT-TPD at meetings of the **Inter Tribal Council of Arizona's Transportation Working Group** and the **Intertribal Transportation Association**, where he provides or arranges for reports on ADOT's tribal coordination activities and ongoing planning processes.
- Meets with **ADOT district engineers** and Arizona tribes to discuss and compile additional information on local tribal transportation concerns at the district level.

(From "Improving Tribal Participation in the Statewide Transportation-Planning Process," page 40, point 9)

In June 1999, the **ADOT Tribal Strategic Partnering Team** was established to bring together representatives from state, tribal, federal and local agencies to discuss tribal transportation issues and to develop interagency forums to address those issues. The ATSPT meets quarterly, with meeting discussions documented and distributed to participating agency and tribal representatives and to key officials within ADOT, regional Councils of Governments and metropolitan planning organizations.

The ATSPT's participating agencies include:

- **ADOT representation:** Civil Rights Section, Environmental Planning Section, Partnering Section, TPD Advance Planning Team, TPD Air Quality Policy/Local Programs Team, Globe District, Holbrook District
- **Federal agencies:** Bureau of Indian Affairs' Western Regional Office, FHWA
- Representatives from **individual tribes**
- **Other organizations:** Arizona Commission of Indian Affairs, Inter Tribal Council of Arizona, Colorado State University's Tribal Technical Assistance Program

(From "Tribal Strategic Partnering Team in Arizona's Planning and Programming Processes," pages 44–45. This six-page article describes the ATSPT's role in detail.)

#### **Other Arizona presentations in the E-Circular:**

- *Case Study: Navajo Nation/Arizona DOT Cooperation. Native American Transportation Issues in Arizona: Coordination of State and Tribal Transportation Issues* (page 23)

This case study candidly describes the challenges Arizona has faced in improving communication between the state and Native American nations.

- Excerpt: "Government-to-government relationships are especially difficult for ADOT and the tribes. In many cases, the tribes continue to insist that their government-to-government relationship is with the **federal government** and that all dealings should be with the federal government." (page 24)
- ADOT's Intermodal Transportation Division has 10 districts responsible for construction and maintenance. Each is headed by a **district engineer** who works with various constituencies, including Native American tribes. The engineer handles issues of concern to the tribes, including highway improvements and their funding, and operational issues. (page 23)
- *Navajo Nation/Arizona DOT Cooperation: The Indian Outreach Program* (page 29)

Describes ADOT's Indian Outreach Program, operated out of the Civil Rights Office under the Disadvantaged Business Enterprise Program.

- *Tribal Capacity and the Transportation Working Group* (page 48)  
Discusses the challenges facing small- and medium-sized tribes in participating in transportation efforts. From the Inter Tribal Council of Arizona ([www.itcaonline.com](http://www.itcaonline.com)).

- *Tribal Consultation from the Historic Preservation Perspective* (page 52)  
Describes the ADOT Historic Preservation Section's experiences with tribal consultation.

**Contact:** Donald Sneed, ADOT tribal coordinator ([dsneed@dot.state.az.us](mailto:dsneed@dot.state.az.us), 602-712-8140).

## Washington

### *Tribal Liaison Office, Washington State Department of Transportation*

<http://www.wsdot.wa.gov/tribal/>

There are 27 federally recognized tribes in the state of Washington. Established in 2001, WSDOT's Tribal Liaison Office assists tribes and the department with implementing effective government-to-government relations. The office reports to the WSDOT chief of staff and is not part of any functional division. The office:

- Provides a central contact point for **tribal access to department resources**, including the Statewide Transportation Improvement Program and assistance with funding sources for local programs.
- Helps establish and maintain **communication between WSDOT staff and tribal government offices** in areas of policy, planning, real estate, cultural resources, natural resources and Tribal Employment Rights Ordinances (TERO).
- Facilitates problem-solving strategies for dealing with transportation issues between the tribes and WSDOT. Coordinates **government-to-government training for WSDOT staff** in tribal sovereignty, history and culture.
- Works closely with tribal coordinators at WSDOT's six **regional offices** and within other departments.
- Strives to improve coordination and communication with the Bureau of Indian Affairs–**Indian Reservation Roads Program** and the FHWA regarding tribal interests in transportation.
- Acts as a **point of contact** for other state agencies and tribal liaisons, national and regional, regarding projects, resolving issues, or promoting partnerships in joint ventures.
- Supports **technical training** programs for tribes and the public.

WSDOT's **Tribal Consultation Policy** is available here:

[http://www.wsdot.wa.gov/tribal/consultation\\_policy.pdf](http://www.wsdot.wa.gov/tribal/consultation_policy.pdf)

**Contacts:** Director Colleen Jollie ([JollieC@wsdot.wa.gov](mailto:JollieC@wsdot.wa.gov), 360-705-7025), Executive Fellow Megan Beeby ([BeebyM@wsdot.wa.gov](mailto:BeebyM@wsdot.wa.gov), 360-705-7494).

### *State/Tribal Transportation Planning Relations and Strategies, WSDOT*

*Presented at Sixth National Conference on Transportation Planning for Small and Medium-Sized Communities, Sept. 16-18, 1998, Spokane, Wash.*

[http://ntl.bts.gov/data/6\\_conference/00780086.pdf](http://ntl.bts.gov/data/6_conference/00780086.pdf)

This paper describes the annual Tribal/WSDOT Transportation meeting. At the end of each meeting, advisory groups composed of both tribal and WSDOT representatives are formed to work on issues identified during the meeting. For example, the *Transportation Guidebook for Tribal Governments* was developed to address the issue of tribal knowledge of the Intermodal Surface Transportation Efficiency Act.

## Minnesota

Like Wisconsin, Minnesota has 11 federally recognized Native American tribes. Mn/DOT has a tribal liaison in its Office of Government Relations and hosted Tribes & Transportation Summits in 2002 and 2003.

### *Minnesota Tribes and Transportation: Developing Government to Government Partnerships*

<http://www.dot.state.mn.us/mntribes/index.html>

Mn/DOT's Web site includes an in-progress Tribes and Transportation Handbook, which is an online resource guide for tribal, federal, state, city, county and township officials and citizens. It includes sections on intergovernmental agreements, cultural resources and funding.



Other resources:

- **Protocols for Working with Tribes, Minnesota Indian Affairs Council**

<http://www.indians.state.mn.us/protocol.html>

Protocols for working with Indian government officials.

- **Tribes & Transportation Summits**

<http://www.newsline.dot.state.mn.us/archive/02/apr/3.html> — 2002

<http://www.newsline.dot.state.mn.us/archive/03/oct/29.html> — 2003

These newsletter items describe Minnesota's Tribes & Transportation Summits.

**Contact:** Mn/DOT Tribal Liaison Linda Aitken ([linda.aitken@dot.state.mn.us](mailto:linda.aitken@dot.state.mn.us), 218-547-0060).

## Iowa

Iowa DOT has no formal tribal liaison position, but coordinates contact with Native Americans through the Cultural Resource Management section of its Office of Location and Environment. In 2001, the FHWA Iowa Division and Iowa DOT held two events aimed at improving the Native American consultation process: a **Tribal Summit on Historic Preservation and Transportation** and a **Tribal Consultation Workshop**.

***Iowa Tribal Consultation Process: Initiatives and Recommendations, FHWA Iowa Division and Iowa DOT, February 2002***

<http://www.ctre.iastate.edu/reports/tribal.pdf>

*Also presented in a poster session at the TRB Annual Meeting in January 2004.*

This report summarizes the outcome of the summit and the workshop. We also obtained the full proceedings of both from Iowa DOT; they are attached to this report. Also attached is a letter to tribal officials outlining five options for consultation on IDOT and FHWA projects; tribes are asked to choose the degree of involvement that they prefer.

- The **Tribal Summit** was a three-day workshop (May 15-17, 2001, Ames) involving tribes indicating an interest in Iowa properties. It was attended by 49 people representing 11 tribal interests and 12 federal and state agencies. Agency and tribal officials identified their concerns surrounding communication between the two groups and agreed to follow up with a Tribal Consultation Workshop.
- The **Tribal Consultation Workshop** (October 2001) included representatives from 10 tribes. Recommendations for a proposed tribal consultation process included:
  - Establishing a position at the Iowa DOT as a direct point of contact for tribes.
  - Holding a workshop for planners, designers and consultants to present and explain the Section 106 consultation process and how it relates to Iowa DOT project development procedures.
  - Developing a supplemental tribal workshop to present and further explain the consultation process, proposed agreements and/or memoranda of understanding with individual tribes.

We spoke with Judy McDonald in Cultural Resource Management, part of IDOT's Office of Location and Environment. She confirmed that the creation of a **tribal liaison position** at Iowa DOT has been discussed, but the position has not been funded. "There are four people in the Cultural Resources group at the DOT, and all four of us are a point of contact," she says. "The assistant director of our office is also a point of contact for general tribal coordination."

As the first point of contact, McDonald says that the Office of Location and Environment would refer Native Americans to the correct division within the DOT if they had concerns that were outside her office's responsibilities. But she says Iowa has very little tribal land, so inquiries about tribal transportation projects are infrequent. Most of Iowa DOT's contact with Native American nations relates to DOT projects that may affect areas of historical interest to the tribes.

McDonald mentioned that in the 1970s through 1990s, Iowa DOT staffers worked with Maria Pearson, a tribal liaison of sorts who served as chair of the Indian Advisory Council to the Office of the State Archaeologist. If a DOT project might affect an Indian burial site, staffers went to Pearson to coordinate next steps. When she passed away, her position was not filled, and McDonald says that when the new Section 106 regulations took effect in 2001, the tribes made it clear that they wanted to speak for themselves individually, and not through an intermediary who spoke for all tribes.

**Contact:** Judy McDonald, Cultural Resource Management ([judy.mcdonald@dot.state.ia.us](mailto:judy.mcdonald@dot.state.ia.us), 515-239-1795).

### ***Successes in Streamlining, July 2002, FHWA***

#### ***Respectful Communication Accelerates the Section 106 Process: Iowa's New Tribal Consultation Process***

<http://environment.fhwa.dot.gov/strmlng/newsletters/jul02nl.htm>

This article highlights strategies that helped make the 2001 summit and workshop successful:

- An equal number of tribal officials and government officials of comparable rank were invited to the Tribal Summit. All tribal decision-makers, including tribal elders and historians, were invited.
- An **Indian facilitator** with experience in transportation issues was involved in the Tribal Summit.
- A letter was sent in advance to all tribes with a current or historical interest in Iowa to determine tribal interest in attending the summit and to obtain tribal input on the forum and agenda. Oral follow-ups were made. Ground travel mileage and subsistence costs were reimbursed for tribal representatives and guests.

Streamlining tools to prevent project delays that were developed at the workshop included:

- Tailored **Memoranda of Understanding** with affected tribes. Components of the MOUs include information on tribal contacts and communication needs, potential tribal site visits, comment deadlines, and details regarding the state lands and types of projects in which the tribe is interested.
- Standardized **tribal notification form** (included in attached handbook).
- Standardized **tribal consultation points** in the project planning process (described in pullout chart in attached handbook).

### **New Mexico**

There are 22 federally recognized tribes in New Mexico. The New Mexico State Highway and Transportation Department does not have a tribal liaison, but does participate in an action committee charged with following up on issues raised in a 1999 tribal/state transportation summit.

#### **New Mexico Tribal/State Transportation Summit, October 14-15, 1999, Santa Fe**

<http://www.unm.edu/~atr/TribalSummitSummary.pdf>

This summit brought together local, state and federal agencies and Native American nations to discuss transportation concerns. Attendees signed Memoranda of Agreement and created an action committee to implement government-to-government protocols between tribal governments and state transportation agencies. The action committee includes representatives from NMSHTD, the state Land Office and Office of Indian Affairs, FHWA, DOE, the Bureau of Indian Affairs, tribal organizations and several tribes.

Related documents include:

- **Stepping Stones: A Process Toward Communication and Cooperation**  
*Summary documents of the New Mexico Tribal/State Transportation Summit, October 14-15, 1999, Santa Fe, N.M., and Tribal/State Transportation Pre-Summit Meeting, Albuquerque, N.M., August 10-11, 1999*  
<http://trex-center.org/dox/tecsum.pdf>
- **Transportation Research E-Circular No. E-C039, TRB: Conference on Transportation Improvements: Experiences Among Tribal, Local, State, and Federal Governments, October 18-21, 2001, Albuquerque, N.M.**  
<http://gulliver.trb.org/publications/circulars/ec039.pdf>
  - *New Mexico Case Study: Improving Tribal/State Relationships for Transportation Infrastructure Planning and Development* (page 11)
  - *New Mexico Case Study: Tribal Coordination/Organization Assistance in the New Mexico Middle Rio Grande Long-Range Major Transportation Investment Study* (page 6)Both papers provides background on state/tribal relations leading up to the summit.
- A video of the first hour of the summit is available from the Alliance for Transportation Research Institute at 505-246-6410. It includes introduction of the participants, welcomes from the U.S. delegation and opening remarks. Speakers' names are captioned.

**Contact:** James Kozak, deputy director, Transportation Planning Division ([James.Kozak@nmshtd.state.nm.us](mailto:James.Kozak@nmshtd.state.nm.us), 505-827-5547).

## Alaska

The Alaska Department of Transportation & Public Facilities held its first tribal transportation summit in 2003 (link to agenda summary below). The department is looking into creating a tribal liaison position.

### *1st Annual Alaska Tribal Transportation Symposium: Building Transportation Infrastructure In Rural Alaska, April 15-17, 2003, Anchorage, Alaska*

<http://www.cbpa.ewu.edu/~LTAP/newsletters/winter2003ak.pdf> (page 4)

Creation of an ADOT&PF tribal liaison was a topic of discussion at this symposium. According to Jon Dunham, manager of ADOT&PF's Civil Rights Office, "A recommendation has been made to our administration that we create a tribal liaison position, given that our previous governor formally recognized Alaska Tribes and that many of our airport projects are the only access to many of our tribal communities." However, he said the recommendation does not appear to have been submitted with this year's budget, and that for now, his office performs many of the functions they had envisioned for a tribal liaison. "The position is envisioned to be a primary point of contact on tribal transportation issues, which can range from [Section] 106 consultations to project coordination for employment," he says. "The ADOT transportation program is truly multimodal, with highway, airport and ferry vessel service. All modes have contact with tribal communities."

Dunham says he hasn't proposed that the position be part of the Civil Rights Office, and that it could be part of that office or part of the Program Development Division.

**Contact:** Jon Dunham, Manager, Civil Rights Office, ADOT&PF ([jon\\_dunham@dot.state.ak.us](mailto:jon_dunham@dot.state.ak.us), 907-269-0850).

## Montana

The chief of MDT's Environmental Services Bureau serves as the department's tribal liaison officer.

<http://www.mdt.state.mt.us/tribal/>

**Contact:** Dave Hill, Tribal Liaison Officer ([dhill@state.mt.us](mailto:dhill@state.mt.us), 406-444-7632).

### *A Hallmark of Context-Sensitive Design, Public Roads, May 2002*

<http://www.tfhr.gov/pubrds/02may/02.htm>

This article describes the steps MDT and FHWA took to involve tribes in the improvement of a dangerous highway.

## Pennsylvania

### *FHWA Pennsylvania Division Holds Inaugural Native American Summit*

<http://www.dot.state.pa.us/PENNDOT/Bureaus/Cultural%20Resources.nsf/Summit?OpenForm&AutoFramed>

One-page report on Pennsylvania's first tribal summit, held in September 2003. Pennsylvania DOT staff were actively involved in the summit.

## Idaho

### *Special Meeting of the Idaho Transportation Board: Inaugural State of Idaho and Tribal Government Transportation Summit, July 23-22, 2002, Worley, Idaho*

<http://www2.state.id.us/itd/Board/minutes/min200207spec.htm>

Minutes of the meeting.

## Kansas

### *Native American Consultation Procedures*

<http://environment.fhwa.dot.gov/strmlng/searchresults.asp?id=2&keyword=&StateSelect=Kansas&CategorySelect=all&startrow=1&ResultsSelect=10&ShowDescription=true&InnovativePract=#R2>

A description of KDOT's new practices (started in 2000).



## **Cross-State Initiatives and Publications**

***Transportation Research E-Circular No. E-C039, TRB: Conference on Transportation Improvements: Experiences Among Tribal, Local, State, and Federal Governments, October 18–21, 2001, Albuquerque, N.M.***  
<http://gulliver.trb.org/publications/circulars/ec039.pdf>

This 115-page report includes several case studies (many referenced under individual state headings above), some of which were also presented at the 2003 and 2004 TRB annual meetings.

***Building on a Common Desire for Better Tribal/State Governmental Relationships: The 2002 Four Corners Institute for Tribal/State Relations***

<http://www.unm.edu/~atr/FourCornersTRB.pdf>

Held May 22–23, 2002, in Durango, Colo., this workshop was attended by representatives from DOTs in western states, and FHWA, BIA and tribal officials. This white paper deals primarily with the way the workshop was facilitated rather than the outcome of discussions. A second workshop is being planned for 2004. See also <http://www.unm.edu/~atr/four-corners-institute.pdf>.

***10th Annual Northwest Tribal Transportation Symposium, Northwest Tribal Transportation News, Summer 2003***

<http://www.cbpa.ewu.edu/~LTAP/newsletters/summer2003nw.pdf>

This annual tribal transportation symposium includes several northwest states and is organized by the Affiliated Tribes of Northwest Indians Transportation Committee. This article about the symposium mentions that tribes assist Oregon DOT with the development of its State Transportation Improvement Program through participation in 10 Area Commissions on Transportation. Every tribe is a member of one ACT. See symposium topics at <http://www.cbpa.ewu.edu/~LTAP/newsletters/spring2003nw.pdf> (page 6).

## **Federal Resources**

### **Transportation Research Board**

***TRB Native American Transportation Issues Committee (ABE80)***

[http://trb.org/directory/comm\\_detail.asp?id=2085](http://trb.org/directory/comm_detail.asp?id=2085)

This committee is concerned with research and practice pertaining to transportation issues on or near tribal lands and communities or affecting tribal historical or cultural properties. The committee deals with all modes of transportation, and addresses relevant agencies at all levels and their laws, policies, plans, programs and projects.

TRB 2004 Annual Meeting activities included a poster session, “**Status of Transportation Serving Tribal Lands and Communities**” ([http://www.trb.org/am/ip/assembly\\_detail.asp?id=552](http://www.trb.org/am/ip/assembly_detail.asp?id=552)), and a session called “**Culture, Communications, and Consensus: Public Involvement for Underrepresented Groups, Part 2**” ([http://www.trb.org/am/ip/assembly\\_detail.asp?id=224](http://www.trb.org/am/ip/assembly_detail.asp?id=224)), focusing on tribal public involvement.

**Contact:** TRB Staff Representative Claire Felbinger, ([cfelbinger@nas.edu](mailto:cfelbinger@nas.edu), 202-334-3177).

### **Federal Highway Administration**

#### ***Native American Coordination***

<http://www.fhwa.dot.gov/environment/natvamrc/>

The FHWA Native American Coordination staff provides guidance and technical assistance to federally recognized tribes on a government-to-government basis. The team strives to consult with Indian tribes before taking any actions that may significantly affect them, and fosters improved communication with tribal governments to respond effectively to tribal transportation concerns. This site includes:

- **Programs**  
An overview of FHWA’s three funding programs, including the Indian Reservation Roads Program.
- **Reference Information**  
Links to planning and historic preservation resources.
- **State Activities**  
Links to experiences of California, Minnesota, Washington and Wisconsin (all referenced above under “State Experiences”).
- **Legislation and Other Guidance**  
Links to two executive orders and a presidential memorandum.
- **Links**

Includes links to organizations and government agencies with an interest in Native American issues.

***Archaeology and Historic Preservation: Tribal Issues***

<http://www.fhwa.dot.gov/environment/archaeology/tribalissues.htm>

Includes questions and answers on tribal consultation, examples of streamlining initiatives, and links to tribal grant program information and training opportunities.

***Indian Reservation Roads Program: Transportation Planning Procedures and Guidelines, October 1999***

<http://www.fhwa.dot.gov/flh/reports/indian/intro.htm>

This manual on the federal IRR program includes a chapter on “Coordination in the Transportation Planning Process” (<http://www.fhwa.dot.gov/flh/reports/indian/chapter3.htm>), which includes examples of successful state DOT partnerships with Native American nations. Also see <http://www.fhwa.dot.gov/flh/indresrd.htm> for more information on the IRR program.

**U.S. Department of Transportation**

***Tribal Planning***

<http://www.planning.dot.gov/tribal.asp>

This site is a comprehensive resource on tribal coordination and outreach efforts, including links to publications and case studies. Sections include:

- **Legislation, Regulations, and Guidance**  
Links to federal legislation.
- **Tribal-Specific Legislation**  
Links to executive orders and federal policy.
- **Native American Consultation**  
Links to FHWA and Advisory Council on Historic Preservation guidance, and examples of state streamlining initiatives.
- **Local Officials Consultation**  
Guidance on state responsibilities.
- **Training and Education**  
Links to training courses in tribal issues and general transportation planning topics.
- **Case Studies**  
An FHWA case study on environmental justice and tribal involvement in an Arizona interchange reconstruction.
- **Links**  
Includes links to tribal consultation resources and Native American issues Web sites.

**U.S. Department of the Interior**

***Bureau of Indian Affairs***

<http://www.doi.gov/bureau-indian-affairs.html>

The BIA Web site is currently unavailable due to pending litigation. Alternate sources of information are listed.

**Other Sites**

***Native American Consultation***

<http://www.codetalk.fed.us/fpi.html>

This site provides guidance on Native American consultation processes. The content is intended mostly for federal agencies, but the site also includes a list of state case studies, some of which involve state DOTs.

**Advisory Council on Historic Preservation**

***Consulting with Indian Tribes in the Section 106 Review Process***

<http://www.achp.gov/regs-tribes.html>

Also primarily for federal agencies, this site discusses how to meet Section 106 requirements for consultation both on and off tribal lands.

***Native American Consultation Database***

<http://web.cast.uark.edu/other/nps/nacd/>

A national database of consultation contacts for Indian tribes, Alaska Native villages and corporations, and Native Hawaiian organizations, compiled from contacts of the Native American Graves Protection and Repatriation Act Program.